



March 26, 2003

ENGROSSED HOUSE BILL No. 1657

DIGEST OF HB 1657 (Updated March 24, 2003 12:44 PM - DI 52)

Citations Affected: IC 13-17.

Synopsis: Open burning. Permits open burning of vegetation from agricultural land in an unincorporated area for maintenance purposes.

Effective: July 1, 2003.

Wolkins, Bottorff, Kuzman, Heim

(SENATE SPONSORS — GARD, HUME)

January 21, 2003, read first time and referred to Committee on Environmental Affairs.
February 6, 2003, reported — Do Pass.
February 13, 2003, read second time, ordered engrossed. Engrossed.
February 17, 2003, read third time, passed. Yeas 90, nays 5.

SENATE ACTION

February 24, 2003, read first time and referred to Committee on Environmental Affairs.
March 25, 2003, amended, reported favorably — Do Pass.

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EH 1657—LS 6499/DI 52+



March 26, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1657

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-17-9-1, AS AMENDED BY P.L.1-1999,
2 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 1. (a) Subject to section 3 of this chapter, a person
4 may open burn the following for maintenance purposes:

5 (1) Vegetation from:

- 6 (A) a farm;
- 7 (B) an orchard;
- 8 (C) a nursery;
- 9 (D) a tree farm;
- 10 (E) a cemetery; or
- 11 (F) a drainage ditch.

12 (2) **Vegetation from agricultural land if the open burn occurs**
13 **in an unincorporated area.**

14 (3) Wood products derived from pruning or clearing a roadside by
15 a county highway department.

16 (3) (4) Wood products derived from the initial clearing of a public
17 utility right-of-way if the open burn occurs in an unincorporated

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1 area.

2 ~~(4)~~ (5) Undesirable:

3 (A) wood structures on real property; or

4 (B) wood remnants of the demolition of a predominantly
5 wooden structure originally located on real property;
6 located in an unincorporated area.

7 (b) A person who is allowed to open burn under subsection (a) is not
8 required to obtain:

9 (1) a permit; or

10 (2) any other authorization;

11 from the department, a unit of local government, or a volunteer fire
12 department before conducting the open burning.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1657, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BOTTORFF, Chair

Committee Vote: yeas 10, nays 2.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1657, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 7 through 12, begin a new line double block indented and insert:

"(B) an orchard;

(C) a nursery;

(D) a tree farm;

(E) a cemetery; or

(F) a drainage ditch.

(2) Vegetation from agricultural land if the open burn occurs in an unincorporated area."

Page 1, line 13, delete "(2)" and insert "(3)".

Page 1, line 15, strike "(3)" and insert "(4)".

Page 2, line 1, strike "(4)" and insert "(5)".

and when so amended that said bill do pass.

(Reference is to HB 1657 as printed February 7, 2003.)

GARD, Chairperson

Committee Vote: Yeas 6, Nays 0.

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